# PATENT COOPERATION TREATY

PCT/JP2003/013144

# **PCT**

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference F-3576PT	FOR FURTHER ACTION	See Form PCT/IPEA/416	
International application No. PCT/JP2003/013144	International filing date (day/month/year) 14 October 2003 (14.10.2003)	Priority date (day/month/year)	
International Patent Classification (IPC) of B65D 63/10	r national classification and IPC		
Applicant			
	KYOWA LIMITED	•	

		ing date ( <i>day/month/year</i> ) or 2003 (14.10.2003)	Priority date (day/month/year)	
International Patent Classification (B65D 63/10	(IPC) or national classificat	ion and IPC		
Applicant				
	KYO	WA LIMITED	•	
1. This report is the internation Authority under Article 35	nal preliminary examinatio and transmitted to the appl	n report, established by this licant according to Article 36.	International Preliminary Examining	
2. This REPORT consists of a	total of sl	neets, including this cover sh	<b>c</b> et	
3. This report is also accompan	nied by ANNEXES, compr	ising:		
		al Bureau) a total of	sheets, as follows:	
sheets of to and/or sheets of the and	the description, claims and ets containing rectification ative Instructions).	or drawings which have bee s authorized by this Authori	n amended and are the basis of this report ty (see Rule 70.16 and Section 607 of the	
Supplemen	ntal Box.	onar approaction as theo, as	onsiders contain an amendment that goes indicated in item 4 of Box No. I and the	
b (sent to the Inte	ernational Bureau only)	a total of (indicate type	and number of electronic carrier(s))	
readable form only Administrative Ins	y, as indicated in the Supportructions).	ntaining a sequence listing a lemental Box Relating to S	and fidiliber of electronic carrier(s)) and/or tables related thereto, in computer equence Listing (see Section 802 of the	
4. This report contains indication	ns relating to the following	items:		
Box No. I Basis of	the report			
Box No. II Priority				
Box No. III Non-esta	ablishment of opinion with	regard to novelty, inventive	Step and industrial and industrial	
Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  Box No. IV Lack of unity of invention				
Box No. V Reasone citations	d statement under Article 3 and explanations supportir	5(2) with regard to novelty, i	inventive step or industrial applicability;	
	locuments cited	ig such statement	7,	
Box No. VII Certain defects in the international application				
Box No. VIII Certain o				
ate of submission of the demand		Date of completion of this		
11 April 2005 (11.	04.2005)		2005 (09.05.2005)	
ame and mailing address of the IPEA/	JP	Authorized officer		
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Translation

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/013144

othe	With regard to the language, this report is beautiful.	
	With regard to the language, this report is based on the international application in the language in whice therwise indicated under this item.	h it was filed, unless
	This report is based on translations from the original language into the following language which is language of a translation furnished for the purpose of:	
	international search (under Rules 12.3 and 23.1(b))	
	publication of the international application (under Rule 12.4)	
	international preliminary examination (under Rules 55.2 and/or 55.3)	
!. With furni	ith regard to the elements of the international application, this report is based on (replacement solution) in the receiving Office in response to an invitation under Article 14 are referred to in this report annexed to this report):	sheets which have been port as "originally filed"
$\boxtimes$	The international application as originally filed/furnished	
	the description:	
	pages	originally filed/furnishe
	received by this Authority on	
	pages* received by this Authority on	
	the claims:	
	pages as	originally filed/furnished
	, as amended (together with any s	atement) under Article 1
	received by this Authority on	
	received by this Authority on	
	the drawings:	
	pages as	originally filed/furnished
	received by this Authority on	B 11100/10/111131160
•	pages*	
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	received by this Authority on	
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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/13144

. Statement			
Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

### Claims 1-5

Documents 1 and 4 cited in the ISR respectively describe (1) a constitution corresponding to a ribbon-like non-metallic twist tie made of a non-halogen material and having a core portion and blade portions, (2) setting adequate dimensions, tensile strength and twisting force (paragraph [0040] of document 1), and (3) giving adequate shape retention (paragraph [0017] and Fig. 5 of document 4). The difference between the subject matters of the above-mentioned claims and document 1 or 4 is not considered to be more than design optimization. Therefore, the subject matters of these claims do not appear to involve an inventive step.

Document 1: JP, 2000-95267, A (Kyowa Ltd.), 4 April, 2000 (04.04.00), [0013]-[0022], Figs. 1-7 (Family: none)

Document 4: JP, 2003-205565, A (Shin-Etsu Polymer Co., Ltd.), 22 July, 2003 (22.07.03), paragraph [0017], Figs. 1 and 5 (Family: none)

## 特許協力条約

PCT

### 特許性に関する国際予備報告(特許協力条約第二章)

(法第 12 条、法施行規則第 56 条) [PCT36 条及びPCT規則 70]

出願人又は代理人 の書類記号 F-357	6 P T	今後の手続き	については、	様式PCTノ	/IPEA/416を参照すること。
国際出願番号 PCT/JP03/	13144	国際出願日(日.月.年)	14.10.	2003	優先日 (日. 月. 年)
国際特許分類(IPC)	Int.Cl. <sup>7</sup> B65D63/10	•			
出願人 (氏名又は名称) 株式会社 共和					
1. この報告書は、PC 法施行規則第57条				された国際子	が備審査報告である。
2. この国際予備審査報	告は、この表紙を	含めて全部で	3	<-:	<b>ジからなる。</b>
3. この報告には次の附 a. 一 附属書類は全			である。		
	、この報告の基礎 は図面の用紙(F				と関が認めた訂正を含む明細書、請求の範 照)
	及び補充欄に示し 査機関が認定した		顔時における	国際出願の開	示の範囲を超えた補正を含むものとこの
b. 「 電子媒体は全	部で				(電子媒体の種類、数を示す)。
		うに、コンピュ	ータ読み取	り可能な形式	による配列表又は配列表に関連するテー
	(実施細則第802				
4. この国際予備審査報		 含む。	4 1 1 1 1		
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「 第 I 概	国際予備審查報係 優先権	合の基礎	•		
第11個		マは産業上の利	田可能性に、	ついての国際系	一備審査報告の不作成
第IV欄			AD ABOTAC	フィ・この国際(	が開金国和古の小TF成
<b>戸</b> 第V棚			生、進歩性又	は産業上の利	用可能性についての見解、それを裏付
	けるための文献				
厂 第VI概	ある種の引用文献	砍			
第VI欄	国際出願の不備				
第VII- 柳	国際出願に対する	5意見			

国際予備審査の請求書を受理した日 11.04.2005			
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915	特許庁審査官(権限のある職員) 石田 宏之	3 N	9258
東京都千代田区霞が関三丁目4番3号	電話番号 03-3581-1101	内線 33	6 1

第I概	報告の基礎			
. <u> </u>	の国際予備審査報告	らは、下記に示っ	す場合を除くほか	か、国際出願の言語を基礎とした。
	この報告は、	93	による翻訳文を	・基礎とした。
<b>-</b>	それは、次の目的			<b>うる。</b>
	PCT規則12			
	PCT規則12			
1	PCT規則55	. 2又は55.3にい	り国際予備審査	
- 0	の報告は下記の出願	5食料を甘味し	1 た (対数の)	
差替 <i>:</i>	ク報告は、 <b>この</b> 報告 え用紙は、この報告	7年級で基礎と において「出願	した。 (佐第09 頂時   レー・ * <i>0</i>	R(PCT14条)の規定に基づく命令に応答するために提出さり報告に添付していない。)
			X-13 C O ( C -	THE COMIT OF A MARCON
V	出願時の国際出席	類書類		
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	第		ページ <b>*</b>	、 付けで国際予備審査機関が受理したも
	請求の範囲			•
•	第		項、	出願時に提出されたもの
	第			、PCT19条の規定に基づき補正されたもの
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	第		項*、	付けで国際予備審査機関が受理したも
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	配列表に関す	る補充概を参照	似すること。	
	補正により、下記	の書類が削除さ	れた。	
	property and described	44-		
	明細書	第		ページ
!	請求の範囲	第	<del></del>	
	図面	第 的に記載するこ	1. \	ページ/図・
			と) 人具体的に記載す	Z > 1. \
<b>'</b>	日にグラスで民産	タるノーノル (	大学がた記載り	S-21
	この報告は、補充権	闘に示したよう	に、この報告に	添付されかつ以下に示した補正が出願時における開示の範囲を超
	えてされたものと目	忍められるので	、その補正がされ	れなかったものとして作成した。 (PCT規則 70.2(c))
7		•		
1	明細書	第	<del></del>	ページ
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•	記が及じ関連	g(a) - J(b)	具体的に配戦する	SCE)
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1. 亿	該当する場合、その	の用紙に "super	rseded と記入さ	されることがある。

### 特許性に関する国際予備報告

国際出願番号 PCT/JP03/13144

第V概	新規性、進歩性又は産業上の利用可能性についての法第12条(PCT35条(2))に定める見解、 それを裏付ける文献及び説明
1.	見解

請求の範囲 1-5 新規性(N)

請求の範囲 \_\_\_\_\_

進歩性(IS)

請求の範囲 1-5

産業上の利用可能性 (IA) 請求の範囲 <u>1-5</u> 有

請求の範囲 \_\_\_\_\_

### 2. 文献及び説明 (PCT規則 70.7)

請求の範囲第1-5項について

国際調査報告にて示した文献1あるいは4には、

非ハロゲン材料で構成される芯部と羽根部を有するリボン状のノンメタリックツイストタイに相当する構成、および適宜の寸法、引張り強度、適宜の捻り力(文献1 [0040] 欄)を設定する点、適宜の形状保持性(文献4 [0017] 欄及び図5)を付与する点が記載されており、上記請求の範囲に記載された発明と、上記文献との差異は、設計上の最適化以上のものとは認められない。従って、上記請求の範囲に記載された発明と、 載された発明は、進歩性を有しない。

#### 1:

JP 2000-95267 A (株式会社共和) 2000.04.04 【0013】-【0022】,図1-7.(ファミリーなし)

### 4:

JP 2003-205565 A (信越ポリマー株式会社) 2003.07.22【0017】欄,図1,5 (ファミリーなし)